



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Tuesday, August 10, 2021
5:45 PM

Notice Regarding Public Participation

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 public health emergency.

Individuals may attend the Prosper Town Council meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/87189889684>

Enter Meeting ID: 87189889684

To request to speak, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 87189889684

To request to speak, enter *9, and *6 to mute/unmute yourself. The meeting moderator will acknowledge your request and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.

Call to Order/ Roll Call.

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Announcements of recent and upcoming events.

CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

1. Consider and act upon the minutes from the July 27, 2021 Town Council Meeting. (RB)
2. Consider and act upon an ordinance establishing the 2021 certified appraisal roll. (BP)

3. Consider and act upon scheduling a Public Hearing on the FY 2021-2022 Proposed Budget. (BP)
4. Consider and act upon scheduling a Public Hearing for the FY 2021-2022 proposed tax rate. (BP)
5. Consider accepting submission of the 2021 no-new-revenue tax rate of \$0.481842 per \$100 taxable value and the voter-approval tax rate of \$0.539436 per \$100 taxable value. (BP)
6. Receive the June financial report. (BP)
7. Receive the Quarterly Investment Report. (BP)
8. Consider and act upon a resolution approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2021 rate review mechanism filing. (BP)
9. Consider and act upon a resolution authorizing the placement of orders for the purchase of replacement vehicles in FY 2021-2022 to realize current incentives related to said purchase with payment to be made from the Town’s Vehicle Equipment and Replacement Fund (VERF) in FY 2021-2022. (BP)
10. Consider and act upon ratifying an emergency purchase expenditure to Prime Controls, Inc. related to the Town’s Supervisory Control and Data Acquisition (SCADA) System. (FJ)
11. Consider and act upon an ordinance renaming a segment of a Prosper Road to Prosper Trail, located between Teel Parkway and Legacy Drive. (MD21-0004) (AG)
12. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town’s Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan, including Gates of Prosper Multifamily, Prosper Business Park, and Rheas Mill Baptist Church. (AG)

CITIZEN COMMENTS

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a “Public Meeting Appearance Card” and present it to the Town Secretary prior to the meeting, or request to address the Council via videoconference or telephone.

REGULAR AGENDA:

If you wish to address the Council, please fill out a “Public Meeting Appearance Card” and present it to the Town Secretary, preferably before the meeting begins, or request to address the Council via videoconference or telephone. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

Items for Individual Consideration:

13. Conduct a Public Hearing, and consider and act upon a request to amend a portion of Planned Development-40 (PD-40), on 16.9± acres, Windsong Ranch Marketplace, located on the north side of US 380, east of Gee Road, in order to facilitate the development of two (2) drive-through restaurants. (Z21-0007). (AG)
14. Conduct a Public Hearing, and consider and act upon a request to rezone 163.2± acres, from Planned Development-90 (PD-90) to Planned Development (PD), to facilitate the development of a single family residential subdivision with private social club, located on the north side of First Street, east of Coit Road. (Z20-0021). (AG)
15. Consider all matters incident and related to the issuance and sale of the Town of Prosper, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2021, including the adoption of an ordinance appointing a representative of the Town and delegating to the representative certain matters with respect to the sale of the Certificates; establishing parameters for the approval of such delegated matters; approving the use of a Paying Agent/Registrar Agreement and an engagement letter of Bond Counsel; ordering the levy of an annual ad valorem tax and the pledge of utility revenues for the payment of the Certificates; and enacting other provisions relating to the issuance and sale of Certificates. (BP)
16. Consider all matters incident and related to the issuance and sale of the Town of Prosper, Texas General Obligation Bonds, Series 2021, including the adoption of an ordinance appointing a representative of the Town and delegating to the representative certain matters with respect to the sale of the Bonds; establishing parameters for the approval of such delegated matters; approving the use of a Paying Agent/Registrar Agreement; ordering the levy of an annual ad valorem tax for the payment of the Bonds; and enacting other provisions relating to the issuance and sale of the Bonds. (BP)
17. Submission of the FY 2021-2022 Proposed Budget and Budget Message by the Town Manager.(BP)
18. Consider and act upon a proposed FY 2021-2022 property tax rate. (BP)
19. Central Fire Station & Fire Administration 100% Design Development Project Update. (SB)

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

20. Update on Town Hall Honor Walls. (DR)

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.071 – Consultation with Town Attorney regarding Town of Prosper v. C.W. Young Construction Co., L.P., et al., Cause No. 17-7725-367, pending in the 431st Judicial District Court of Denton County, Texas.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, August 6, 2021, and remained so posted at least 72 hours before said meeting was convened.

Khara Sherrill, Senior Administrative Assistant

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.